

THE MONTHLY MEETING OF BERKELEY COUNTY COUNCIL is scheduled to be held on **MONDAY DECEMBER 14, 2009**, following Public Hearings and the meetings of certain Committees at 6:00 p.m., in the **ASSEMBLY ROOM, BERKELEY COUNTY ADMINISTRATION BUILDING, 1003 HIGHWAY 52, MONCKS CORNER, S. C.**

CALL TO ORDER

APPROVAL OF MINUTES:

Special Meeting of Council

November 9, 2009

Public Hearings: Bills Numbered: 09-41, 09-43 and 09-50

November 23, 2009

Regular Council Meeting

November 23, 2009

PUBLIC DISCUSSION - Requests to be heard must be made prior to call to Order and comments must be limited to Agenda items only.

COMMENTS ON ANY PUBLIC DISCUSSION ITEM WILL BE LIMITED TO THREE (3) MINUTES PER SPEAKER. (A TOTAL OF 30 MINUTES WILL BE ALLOTTED FOR THIS PUBLIC DISCUSSION PERIOD.)

EXECUTIVE SESSION to discuss matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries, or other businesses in the area served by the county; or discussions of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claim, or the position of the County in other adversary situations involving the assertion against the County of a claim.

CHAIRMAN OF COUNTY COUNCIL

THIRD READING:

1. Bill No. 09-45, an ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **John & Miriam Mitchum**, located 2,000 +/- L.F. from the intersection of N. Highway 52 and 17A on North Highway 17A, Moncks Corner, **TMS #123-00-02-030** (3.0 Acres), **from GC, General Commercial District to F-1, Agricultural District.** Council District No. 8.
[Recommended by Committee on Land Use]

2. **Bill No. 09-46**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Caroline Gethers** for Heirs of Caroline Gethers, 307 N. Live Oak Drive, Moncks Corner, **TMS #142-04-02-048** (1.65 acres) **from GC, General Commercial District to F-1, Agricultural District**. Council District No. 8.

[Recommended by Committee on Land Use]

3. **Bill No. 09-47**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Norman Sanders** for First Citizens Bank & Trust Co, Inc., 909 Black Oak Road, Bonneau, Portion of **TMS #068-04-03-021** (0.1864 acre) **from R-2, Manufactured Residential District to GC, General Commercial District**. Council District No. 6.

[Recommended by Committee on Land Use]

4. **Bill No. 09-48**, an **ordinance** to amend the agreement for **Development of a Joint County Industrial Park** executed on April 24, 1995, by and among **Berkeley County, South Carolina and Williamsburg County, South Carolina**, providing for the Development of a jointly owned and operated Industrial/Business park so as to include additional property in both Berkeley County and Williamsburg County as part of the Joint County Industrial Park and other matters related thereto.

[Recommended by Committee on Finance]

5. **Bill No. 09-49**, an **ordinance** authorizing the acceptance of the transfer of authority for conducting municipal **elections in the City of Goose Creek** to the Berkeley County Voter Registration and Election Commission; to define the powers, duties and responsibilities assumed by the Berkeley County Voter Registration and Election Commission for the conduct of Municipal Elections in the City of Goose Creek; to provide for reimbursement of all costs and expenses incurred by the Berkeley County Voter Registration and Election Commission in the conduct of such Municipal Elections; and to provide for other matters relating thereto.

[Recommended by Committee on Community Services]

6. **Bill No. 09-52**, an **ordinance** authorizing the execution and delivery of a **fee agreement** between Berkeley County, South Carolina and **American Synthetics Corporation, LP**, and matters relating thereto.

[Recommended by Committee on Finance]

SECOND READING:

1. **Bill No. 09-51**, an **ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Artamus Nichols** for Nicholas Equipment, 2192 Highway 52, Moncks Corner **TMS #181-00-02-055, - 056** (3.33 acres), **from GC, General Commercial District to LI, Light Industrial District**. Council District No. 8.

[Recommended by Committee on Land Use]

FIRST READING:

1. **Bill No. 09-53**, An **ordinance** to amend and clarify certain sections of **Ordinance No. 01-8-35**, adopted August 27, 2001, Zoning and Development Standards Ordinance, "**Berkeley County Zoning Ordinance**" and amending Ordinances Numbered 02-08-33, 02-12-58, 04-11-68, 05-03-08, 05-08-58, 06-09-63, 06-12-92, and 07-07-43, in regard to the proposed creation of a special exception for mining in the Flex-1 Zoning District, establishing additional requirements for conditional uses in the Heavy Industrial (HI) Zoning District, and other matters relating thereto.

[Recommended by Committee on Land Use]

RESOLUTIONS:

1. **RESOLUTION** providing for the **Transfer of Funds** in the **2009-2010 Berkeley County Budget** for County purposes other than as specified in said Budget.

[Recommended by Committee on Finance]

2. **RESOLUTION** approving an assignment of existing Fee-In-Lieu of taxes arrangements by Marine Barge Company, LLC and Marine Terminals of South Carolina, Inc., with Berkeley County, South Carolina to **Kinder Morgan Bulk Terminals, Inc.** and **Kinder Morgan Mid Atlantic services, LLC**

[Recommended by Committee on Finance]

REPORTS FROM STANDING COMMITTEES:

1. **Committee on Finance.**

Council Member, Mr. Jack H. Schurlknight, Chairman.

2. **Committee on Land Use.**

Council Member, Mr. Phillip Farley, Chairman.

a. Information in regard to Mining operation in the Green Bay Community.

b. Request for extension of 2009 Assessment.

3. **Committee on Public Works and Purchasing.**

Council Member, Mr. Robert O. Call, Jr., Chairman.

a. Excavator Bid for Roads and Bridges Department.

b. US Hwy 17-A Water Main relocation, Phase 2.

c. Berkeley County/SCDOT Intergovernmental agreement I-26 Widening and Sheep Island Parkway Interchange.

- 4. Committee on Justice and Public Safety.**
Council Member, Mr. Steve C. Davis, Chairman.
 - a.** Berkeley County Hazard Mitigation Plan.
- 5. Committee on Water and Sanitation.**
Council Member, Mr. Timothy J. Callanan, Chairman.
 - a.** Re-structuring of Convenience Center employees.
- 6. Committee on Planning and Development.**
Council Member, Mrs. Cathy S. Davis, Chairman.
 - a.** Presentation Re: dilapidated structures, unclean lots and land, and code enforcement.
- 7. Committee on Community Services.**
Council Member, Mr. Caldwell Pinckney, Jr., Chairman.
- 8. Committee on Human Services.**
Council Member, Mr. Dennis Fish, Chairman.

NOMINATIONS FOR MEMBERSHIP ON BOARDS, COMMISSIONS, ETC.

ACCOMMODATIONS TAX ADVISORY COMMITTEE
AERONAUTICS COMMISSION
BCD RURAL TRANSPORTATION MANAGEMENT ASSOCIATION
CHARLESTON AREA TRANSPORTATION STUDY
DEVON FOREST SPECIAL TAX DISTRICT
LIBRARY BOARD
MENTAL HEALTH BOARD
PIMLICO SPECIAL TAX DISTRICT
SANGAREE SPECIAL TAX DISTRICT
SPECIAL FIRE TAX DISTRICT ADVISORY COMMISSION
ZONING APPEALS BOARD

CORRESPONDENCE

UNFINISHED BUSINESS

NEW BUSINESS

ANNOUNCEMENTS

THE JANUARY 2010, REGULAR MEETING OF BERKELEY COUNTY COUNCIL WILL BE HELD ON MONDAY JANUARY 25, 2010, IMMEDIATELY FOLLOWING PUBLIC HEARINGS AND OTHER COMMITTEE MEETINGS AT 6:00 PM, IN THE ASSEMBLY ROOM OF THE BERKELEY COUNTY ADMINISTRATION BUILDING, 1003 HIGHWAY 52, MONCKS CORNER, S. C.

ADJOURNMENT

EXECUTION OF DOCUMENTS BY COUNCIL

PUBLIC DISCUSSION

COMMENTS ON ANY PUBLIC DISCUSSION ITEM WILL BE LIMITED TO THREE (3) MINUTES AND MAY BE ON ANY MATTER.

December 9, 2009
S/Barbara B. Austin, CCC
Clerk of County Council